



# Homeland Security

June 25, 2009

MEMORANDUM TO:

Patricia E. Solberg  
Contracting Officer.

9/2/09

THRU:

Barbara J. Dubberly  
Chief, Glynco Operations Branch

9/3/09 corrections me'd ui  
PRD on 8/27/09

Ted H. Sparks  
DAD, Office of Cheltenham Operations

6-26-08

FROM:

Kathleen M. Hatfield  
Technical Representative

SUBJECT:

Justification and Approval (J & A) for Other than Full and Open  
Competition (Brand Name) for Purchase Requisition Number  
09SASS2508 for TimeTrade Systems license renewal.

REFERENCE:

FAR 6.302-1, Only One Responsible Source and No Other Supplies or  
Services Will Satisfy Agency Requirements (Brand Name)

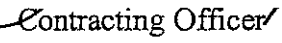
Pursuant to the requirements of the Competition in Contracting Act (CICA), as implemented by FAR Subpart 6.3 and in accordance with the requirements of FAR 6.303-1, the justification for the use of statutory authority under FAR Subpart 6.3 is justified by the following facts and rationale required under FAR 6.303-2 as follows:

- (1) Agency and Contracting Activity. The Department of Homeland Security (DHS), Federal Law Enforcement Training Center (FLETC), Procurement Division proposes to enter into a 6 month contract, with one 6 month option period, for TimeTrade Systems scheduling software on a basis of other than full and open competition.
- (2) Nature and/or description of the action being approved. Until such time as the Student Administration and Scheduling System (SASS) is brought on line, the renewal of the TimeTrade software lease is needed to allow for continued scheduling of training venues at the Cheltenham facility.
- (3) Description of Supplies/Services. Renew the license for TimeTrade Systems scheduling software for the period of September 29, 2009 through March 28, 2010 with one option to extend the

lease further through September 28, 2010 if needed. The estimated value of this requirement is \$70,000.


- (4) Identification of Statutory Authority Permitting Other than Full and Open Competition. The statutory authority permitting other than full and open competition is 41 U.S.C. 253(c) (1) implemented by the Federal Acquisition Regulation (FAR) 6.302-1 entitled "Only One Reasonable Source and No Other Supplies or Services will Satisfy Agency Requirements."
- (5) Demonstration that the Nature of the Acquisition Requires use of the Authority Cited. This scheduling software, which has been in use at the Cheltenham facility since 2003, is the creation and property of TimeTrade Systems. The software resides on the FLETC server and has been configured for the facility. Only TimeTrade Systems can make program modifications or provide support and maintenance to the software system. Failure to renew the license will result in a disruption of the services provided by the Cheltenham Scheduling Office and in the loss of historical data that has yet to be fully imported into the SASS.
- (6) Description of Efforts Made to Ensure that Offers are Solicited from as Many Potential Sources as is Practicable. There are no additional sources for this requirement.
- (7) Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable. The Contracting Officer will make every attempt to negotiate with the contractor. This is a commercial off the shelf (COTS) product and the Government will not pay prices higher than the commercial market price and the price charged to the general public.
- (8) Description of the Market Research. Extensive market research was completed prior to the initial lease of the product in 2003. Subsequent and additional market research is not appropriate.
- (9) Any Other Facts Supporting the Use of Other Than Full and Open Competition. Procurement of another product would require an update of all software to support the new product. It would take months to deploy the new software to support this change and would affect mission support. Information Security evaluations would need to be done on the new software.
- (10) A Listing of the Sources, if Any, That Expressed, in Writing, an Interest in the Acquisition. The original synopsis was issued in September 2003 in FedBizOps. At that time, no other firms indicated an interest in the acquisition.
- (11) A Statement of the Actions, if Any, the Agency May Take to Remove or Overcome Any Barriers to Competition Before Any Subsequent Acquisition for Supplies or Services Required. Use of this product will be suspended at such time as SASS goes online and is proven capable of handling the scheduling requirements of the Cheltenham facility. No subsequent acquisitions will be required.
- (12) I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

ORIGINAL SIGNED

  
Contracting Officer  
Pat Solberg9/2/09  
Date

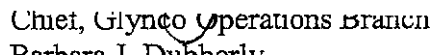
I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

ORIGINAL SIGNED

  
Technical Representative  
Kathleen M. Hatfield6/25/09  
Date

APPROVAL:

ORIGINAL SIGNED

  
Chief, Glynnco Operations Branch  
Barbara J. Dubberly9/3/09  
Date